

Exhibit 8

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

STATE OF TEXAS,	:	
	:	
Plaintiff,	:	Docket No. CA 12-128
	:	
vs.	:	Washington, D.C.
	:	Friday, July 13, 2012
ERIC H. HOLDER, JR., in his	:	9:05 a.m.
official capacity as	:	(Day Five)
Attorney General of	:	
the United States,	:	
	:	
Defendant, and	:	
	:	
ERIC KENNIE, et al.,	:	
	:	
Defendant-Intervenors.	:	
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TRANSCRIPT OF BENCH TRIAL
BEFORE THE HONORABLE DAVID S. TATEL
UNITED STATES CIRCUIT JUDGE
THE HONORABLE ROSEMARY M. COLLYER
THE HONORABLE ROBERT L. WILKINS
UNITED STATES DISTRICT JUDGES

APPEARANCES:

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1 I think even when we, once we actually talked to some of
2 the agencies, it was unclear even if we had started way earlier
3 that we could get the data in time. So we went about figuring
4 it out.

5 JUDGE TATEL: That's not what record shows, sir.

6 I had a hearing where we went through that chapter and
7 verse, sir. You could have gotten it from some of these
8 agencies in as short of two or three weeks.

9 MR. HUGHES: Your Honor, I wasn't participating in
10 that hearing. I'm sorry and I'm not totally familiar with the
11 details.

12 But given what happened, the way we analyzed whether
13 Texans possessed all forms of SB 14 ID was to conduct a survey
14 asking those questions which again, Professor Ansolabehere
15 suggested was a valid methodological approach.

16 I want to turn now to what I call show stopper number
17 two on Professor Ansolabehere's approach which is he employed
18 the same flawed approach that brought down the database match
19 in Crawford.

20 Mr. Mortara showed in his opening the Crawford District
21 Court opinion that said the database match there was hopelessly
22 flawed because the expert in Crawford did not attempt to clean
23 the bloated voter rolls and the Supreme Court did not disturb
24 that holding of course.

25 Here the undisputed evidence from the testimony of Keith

1 Ingram, the director of Texas Elections is that the Texas rolls
2 are bloated.

3 It's also undisputed that Professor Ansolabehere did
4 nothing to clean the registered voter list. He cleaned the DPS
5 but not the registered voter list, and that's why we have over
6 50,000 dead people that Professor Ansolabehere said will be
7 disenfranchised and hundreds of thousands of people like
8 Mr. Mortara's brother-in-law Mr. Craft, our law partner Mr.
9 Byers who the Department of Justice says will be
10 disenfranchised who moved.

11 Those are nice celebrity examples that Mr. Mortara
12 showed yesterday but there are categorical problems with what
13 Professor Ansolabehere did and it's exactly the same thing that
14 brought down the list in Crawford, and the fact that he didn't
15 clean the rolls and that the rolls are bloated, those are
16 undisputed facts and sufficient to bring down his analysis.

17 JUDGE COLLYER: So can we now take this down? It's
18 in the way of people.

19 MR. HUGHES: I was going to come to it later.

20 JUDGE COLLYER: Never mind.

21 MR. HUGHES: The third show stopper, and this
22 requires a little bit more explanation is Professor
23 Ansolabehere employed a completely biased matching protocol.
24 We are aware of the bias against women. I won't spend any time
25 on that.